

REMARKS

Claims 1-14 are all the claims pending in the application. Previously, claim 15 was canceled without prejudice or disclaimer. Reconsideration and allowance of all the claims are respectfully requested in view of the following remarks.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1-7, 9, and 11, under §102(b) as being anticipated by US Patent 6,546,671 to Mitchell (hereinafter Mitchell). Applicant respectfully traverses this rejection because Mitchell fails to disclose all of the elements as set forth and arranged in the claims.

Claim 1 sets forth a lock comprising a lock body mountable to a wing and including a casing and an angularly displaceable bolt, the bolt being angularly displaceable about an axis orthogonal to a face of the wing.

One non-limiting embodiment, as shown in Fig. 1, consistent with that set forth in claim 1 is a lock comprising a lock body 8 mountable to a wing 1 and including a casing 10 and an angularly displaceable bolt 11, the bolt 11 being angularly displaceable about an axis (shaft 15) orthogonal to a face of the wing 1.

In contrast to that set forth in claim 1, Mitchell discloses a bolt 94 that is rotatable about an axis 186, wherein the axis 186 is parallel to the plane of the window sash frame 52,54/window pane 60, i.e., parallel to the plane of the wing. See, for example, Figs. 1 and 15.

For at least the above reasons, claim 1 is not anticipated by Mitchell. Likewise, dependent claims 2-7, 9, and 11, are not anticipated by this reference.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claim 8 under §103 as being unpatentable over US Patent 3,858,355 to Root (hereinafter Root) in view of Mitchell. Applicant respectfully traverses this

rejection because the references fail to teach or suggest all of the elements as set forth and arranged in the claims.

The Examiner cites Root as disclosing a cam latch and keeper disposed on relatively hinged members, but continues to rely on the lock body structure of Mitchell. As noted above, Mitchell is deficient in that it fails to teach or suggest a bolt angularly displaceable about an axis orthogonal to a face of the wing. Accordingly, because the Examiner proposes using Mitchell's bolt in the device of Root, his proposed combination is still deficient a bolt that is angularly displaceable about an axis orthogonal to the face of the wing, as set forth in claim 8 by virtue of its dependence on claim 1.

Additionally, both Root and Mitchell fail to teach or suggest a strike plate as set forth in claim 8.

For at least the above reasons, the Examiner's proposed combination of Root and Mitchell fails to render obvious Applicant's claim 8.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 10 and 12-14 would be allowable if rewritten in independent form. Applicant also assumes that claim 11 would be allowable as well, because it depends from claim 10. Nonetheless, because of the belief that claim 1 is allowable as written, Applicant has not rewritten these claims in independent form at this time.

Conclusion

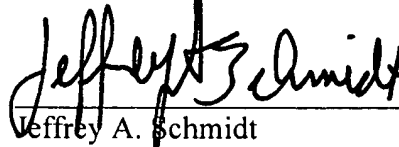
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
US Appl. 10/523,660

Atty. Docket: CQ10135

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey A. Schmidt", is written over a horizontal line.

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